

Docket No. 1832K US

Response to Non-Final Office Action dated July 5, 2006**Overview**

5 Applicant amended the independent claim 1 and dependent
claims 7, 9, 10 and 12. Applicant added new dependent claims
21-25. Applicant canceled claims 2-6, 8, and 11, 13-20.
Support is found at paragraphs [0083] - [0088] and figures 6A
and 6B of U.S. Patent Application US2005/0184264 A1 for amended
10 independent claim 1.

Response to Paragraphs 1 and 2.

15 Please amend the specification at paragraph [0009] from
"Ser. No. _____," to Ser. No. 10/784,323. Also, please amend
paragraph [0091] from "Ser. No. _____" to Ser. No. 10/784,604.

Response to Paragraphs 3 through 5.

20 Applicant canceled claims 3, 14, and 20.

Response to Paragraphs 6 and 7.

25 This non-final action rejected claims 1-20 under 35 U.S.C.
section 102(b) as being anticipated by Summerville U.S. Patent
No. 2,628,850, herein Summerville. Applicant respectfully
suggests amended independent claim 1 is not anticipated. The
Federal Court stated "anticipation requires disclosure in a
single reference of each element of the claim under
30 consideration." See W.L. Gore & Assocs. V. Garlock, 721 F.2d
1540, 220 USPQ 303 (Fed. Cir. 1983).

Docket No. 1832K US

Support for the amendment is found in figure 6A (i.e. first valve position) and figure 6B (i.e. second valve position). In both positions, the fluid flow is present. See Paragraphs [0083] - [0088]. In a first position, the fluid flow is substantially reduced but not closed to fluid flow in the present invention. By contrast, Summerville teaches and discloses a biased valve that when in a first position or disconnected position fluid flow is prevented. See Summerville at col. 1, lines 4-7.

New Claims

Applicant added new dependent claims 21 - 25. Support is found in the present application.

Closing


The Applicant respectfully requests allowance of the amended independent claim 1 and the dependent claims 7, 9, 10 and 12 depending directly or indirectly from amended independent claim 1.

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Docket No. 1832K US

Applicant respectfully requests an Examiner interview, if the above amendments do not place this application in a condition of allowance. Applicant authorizes the Commissioner of Patents to charge Deposit Account Number 190,254 for any late fees or charges necessary to avoid abandonment. I can be reached direct at (508) 261-8476 or Edward.jarmolowicz@tycohealthcare.com.

Respectfully yours,



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